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SENATOR VRTISKA: Senator Chambers, you were indicating that these are state employees, therefore they can't be included in the federal act. Is that what you're saying or did I misunderstand?

SENATOR CHAMBERS: I'm saying that the federal act that is being discussed relates to federalized troops, not the National Guard.

SENATOR VRTISKA: That's true but then when the National Guard becomes federal...becomes under the fed...becomes...

SENATOR CHAMBERS: When they're federalized, then the Servicemembers Act applies to them.

SENATOR VRTISKA: That's right and that's...

SENATOR CHAMBERS: But we...nothing we do at the state level then would have any application anyway.

SENATOR VRTISKA: Well, but this puts it in concert with the state...with the federal law, the state law in concert with the federal law and that was the whole purpose of this part of this bill, and I...I'm...I fail to understand why it's such an issue, but if you can tell me why, I'd be glad to hear it.

SENATOR CHAMBERS: Sure, Senator, there are two statuses for National Guard people. If they are federalized and brought under the control of the federal military, the state no longer has anything to say about them. They are now a part of the U.S. military establishment. State law has no impact whatsoever. What this bill talks about is when they are in that nonfederalized role. They are still functioning only as a state entity. If they are called to state active duty, and the only things I can think of so far are tornados, floods; I don't know if there have been any brush fires large enough to mobilize the guard, but those kind of things that are strictly state. The Servicemembers Act does not apply to them in that regard. What this bill is trying to do is say that when they are called out in that strictly state capacity certain provisions of the Servicemembers Act is going to apply to them while they are on state active duty. That is not the case now, and I'm saying